

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 15-3452

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United States of America

*Plaintiff - Appellee*

v.

Edward Allen Stieber, also known as Eddie Stieber, also known as Kool\_uncle,  
also known as hardtohandle4u

*Defendant - Appellant*

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Appeal from United States District Court  
for the Western District of Missouri - Kansas City

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Submitted: March 17, 2016  
Filed: April 11, 2016  
[Unpublished]

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Before WOLLMAN, ARNOLD, and SHEPHERD, Circuit Judges.

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PER CURIAM.

Edward Stieber appeals the sentence that the district court<sup>1</sup> imposed on him after he pleaded guilty to two counts of attempting to produce child pornography. *See* 18 U.S.C. § 2251(a) and (e). He maintains, first, that his within-Guidelines sentence is substantively unreasonable because it was based primarily on uncharged conduct and potential future criminal conduct. A sentencing court, however, may consider relevant, uncharged conduct, *United States v. Pratt*, 553 F.3d 1165, 1170 (8th Cir. 2009), and should consider the need to protect the public from future crimes by the defendant. 18 U.S.C. § 3553(a)(2)(C). Our review of the sentencing-hearing transcript does not reveal that the district court gave undue weight to these considerations. Our precedents foreclose Stieber's second argument, that the district court should have considered his potential eligibility for civil commitment in fixing his sentence. *See United States v. Jeffries*, 615 F.3d 909, 911–12 (8th Cir. 2010). We therefore conclude that Stieber has failed to rebut the presumption that his within-Guidelines sentence, which was based upon a proper consideration of the matters contained in § 3553(a), is reasonable. *See Gall v. United States*, 552 U.S. 38, 40 (2007).

Affirmed.

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<sup>1</sup>The Honorable Beth Phillips, United States District Judge for the Western District of Missouri.